

REMARKS

Applicant has amended the Claims 1, 7, and 17, cancelled Claims 3, 4, 8, 12, 16, and 18 without prejudice, and added new Claim 19. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Therefore, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected the Claims 1, 3, 5, 7, 9, 11, 13, 15, 17/1, 17/3, 17/5, 17/7, 17/9, 17/11, 17/13, and 17/15 under 35 U.S.C. 102 as being anticipated by Barnard, stating that Barnard teaches each and every element of Applicant's invention.

In reply thereto, Applicant respectfully submits that Barnard teaches that the antibacterial component is silver nitrate (see column 4, line 61). In contrast thereto, Applicant's invention requires the utilization of inorganic silver. Still further, Applicant's invention requires that the antibacterial component have an elution volume of not more than 50 ppb and Applicant respectfully submits that Barnard does not teach such an elution volume. Still further, Applicant respectfully submits that Barnard does not teach that the antibacterial component would be sodium borosilicate glass with dispersed inorganic silver and that the ceramic would be aluminum oxide powder with the sodium borosilicate glass with dispersed inorganic silver coated thereon.

In view of the above, Applicant respectfully submits that Barnard does not teach each and every element of Applicant's Claims 1, 7, 9, 11, 13, 15, 17/1, 17/5, 17/7, 17/9, 17/11, 17/13, 17/15, and 19 and these claims are not anticipated thereby.

The Examiner has rejected Claims 1, 5, 9, 13, 17/1, 17/5, 17/9, and 17/13 under 35 U.S.C. 102 as being anticipated by Jewell, et al.

In reply thereto, Applicant has carefully reviewed Jewell, et al., and respectfully submits that Jewell, et al. does not teach that the antibacterial filtering layer which contains an antibacterial agent comprising a ceramic material as a carrier with silver or copper as antibacterial component and having an elution volume for the antibacterial component not more than 50 ppb.

In addition, Applicant respectfully submits that Jewell, et al. does not teach that the ceramic of the antibacterial component would be aluminum oxide powder, and that the

antibacterial agent would comprise sodium borosilicate glass with dispersed inorganic silver which is then coated onto the aluminum oxide powder.

In view of the above, therefore, Applicant respectfully submits that the Claims 1, 5, 9, 13, 17/1, 17/5, 17/9, 17/13, and 18 are not anticipated by Jewell, et al.

The Examiner has objected to Claims 2, 4, 6, 8, 10, 12, 14, 16, 17/2/, 17/4, 17/6, 17/8, 17/10, 17/12, 17/14, 17/16, and 18 under 35 U.S.C. 103 as being obvious over Barnard in view of Pavia, stating that Barnard teaches each and every element of the invention except for a rough filter in a separate tank; Pavia discloses locating a relatively coarse filter upstream of a relatively fine filter; and it would have been obvious to one of ordinary skill in the art to modify Barnard in view of the teachings of Pavia.

In reply thereto, Applicant would like to incorporate by reference his comments above concerning Applicant's invention and Barnard. In addition, Applicant has carefully reviewed Pavia, and respectfully submits that Pavia involves only mechanical filtering and does not include antibacterial agent.

In view of the above, therefore, Applicant respectfully submits that the combination of Barnard and Pavia is not Applicant's claimed invention and the Claims 2, 6, 10, 14, 17/2, 17/6, 17/10, 17/14, and 19 are not obvious thereover.

Next, the Examiner rejects the Claims 2, 6, 10, 14, 17/2, 17/6, 17/10, 17/14, and 18 under 35 U.S.C. 103 as being obvious over Jewell, et al. in view of Pavia, stating that Jewell, et al. discloses all of the claimed invention except for a filter; Pavia discloses locating a coarse filter upstream of a fine filter; and it would be obvious to one of ordinary skill in the art to modify Jewell, et al. in view of the teachings of Pavia.

In reply thereto, Applicant would like to incorporate by reference his comments concerning Applicant's invention, Jewell, et al., and Pavia. Based upon Applicant's comments, Applicant respectfully submits that Applicant's claimed invention is not shown by the combination of Jewell, et al. and Pavia, and the Claims 2, 6, 10, 14, 17/2, 17/6, 17/10, 17/14, and 19 are not obvious over Jewell, et al. in view of Pavia.


In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered, and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment

or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT
ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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